



PROVINCE OF ALBERTA

CANADIANA

OCT - 8 1992

# ALBERTA IN A NEW CANADA

The Unity Package  
Ensuring Canada's Future

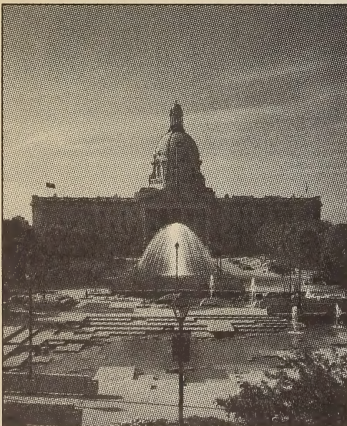




# Introduction

**O**n August 22, eleven first ministers, two territorial leaders and leaders of four aboriginal groups agreed upon a series of constitutional amendments and accompanying political accord that will renew the Canadian federation. On August 28, at a First Ministers' Conference in Charlottetown, Prince Edward Island, this agreement was affirmed. On October 26, Albertans and Canadians will have the opportunity to vote in a national referendum on this agreement, and in so doing, decide the future of Canada.

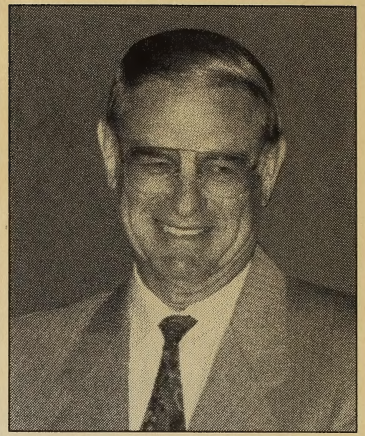
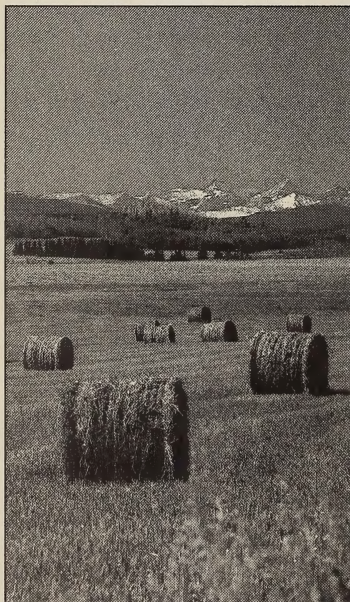
Alberta's position in the negotiations leading up to the Charlottetown agreement was founded upon the most extensive public consultation process in our province's history.



The Select Special Committee on Constitutional Reform was established in March 1991 to consult with Albertans to seek their views and advice on constitutional change.

For a year, the Select Special Committee provided a forum for Albertans to express their opinions. The committee toured the province, holding hearings in fourteen centres from Medicine Hat to Fort McMurray. The committee heard from individual Albertans, as well as from groups and associations. While many Albertans took the time to appear in person before the committee, even more wrote the committee or telephoned a toll-free number to make sure their views were heard. Thousands of Albertans participated in the public consultation process.

In March of this year, the committee issued its report. This report was designed to



reflect what Albertans had said to the committee. It set out the principles Albertans want reflected in any new constitutional arrangement. It also made recommendations about how these principles could be given practical expression in a new Constitution. This report was a unanimous report by the all-party Select Committee, and formed the basis for Alberta's position in the recent constitutional negotiations.

Your decision on October 26 may be one of the most important you will ever make. We encourage you to make an informed choice on this historic agreement. To help you become informed, we have outlined the principles of the Charlottetown agreement in this document. Please read it. And then decide on your vision of Alberta in a New Canada.



# The Charlottetown Agreement

**W**hile the Charlottetown agreement involves amendments to several areas in our Constitution, it can be divided into six key elements: Parliamentary Reform; the

Canada Clause; Aboriginal Issues; the Distribution of Responsibilities; the Social and Economic Union; and the Amending Formula.



*Premiers Ghiz, Rae, Romanow and Wells with Premier Getty after the Charlottetown agreement.*



*Deputy Premier Jim Horsman and his colleagues from British Columbia and Newfoundland discuss Senate reform.*



# Parliamentary Reform

## **An Equal, Elected, Effective Senate**

*From Alberta's perspective, the reforms to the Senate represent the most important elements of the Charlottetown agreement. The nature of Parliament, and the role the provinces play in the national decision-making process, will change forever.*

### **Equal**

The new Senate will include six senators from each province and one from each territory, for a total of 62. Aboriginal representation in the Senate will be negotiated.

### **Elected**

Senators will either be elected in general elections, or through elections by members of provincial legislatures. Albertans will elect their senators through general elections. In addition, our government will encourage the election of traditionally under-represented groups.

Senate elections will take place in conjunction with federal general elections. The first senators will be elected no later than November 1993.

To encourage greater independence, senators will not be eligible for Cabinet appointments.

### **Effective**

By a simple majority, the Senate will have the power to:

- veto all fundamental tax policy changes related to natural resources;

- veto, for 30 days, any revenue and expenditure bills;
- veto or ratify appointments to the Bank of Canada, and federal boards and agencies such as the Canadian Wheat Board, and the CRTC;
- force a reconciliation process and, if that does not succeed, force a rare joint sitting of the Senate and House of Commons on other legislation.

The Senate will also be able to initiate legislation, except for supply and revenue bills. The House of Commons will be required to consider that legislation within a specified period. If the House of Commons defeats legislation initiated in the Senate, it will be referred to the reconciliation process, and if necessary, a joint sitting.

In a joint sitting, each senator and member of Parliament will have one vote. Legislation may be passed by a simple majority. In the case of a minority or small majority government, the Senate would hold the balance of power in a joint sitting.

Legislation affecting the French language and culture will require a majority of total senators and a majority of francophone senators to pass.

## **The House of Commons**

*As part of our position on the Triple E Senate, Albertans expressed their support for a better reflection of representation by population in the House of Commons.*



Under the agreement, Alberta will gain two seats in the House of Commons; British Columbia will gain four, Ontario and Quebec will gain eighteen. Even after this redistribution, Ontario will continue to be under-represented in the House of Commons.

The House of Commons will move to more closely reflect the

principle of representation by population. An interim adjustment based on the 1996 census will be made to accelerate this process. Alberta, British Columbia and Ontario will again receive additional seats following the 1996 census. As a result, Alberta will gain 16 per cent more seats in the House of Commons.

Quebec is guaranteed 25 per cent representation in the House of Commons. Quebec has historically had more than 25 per cent of the population in Canada. Demographic projections indicate Quebec's population will remain around 25 per cent for the foreseeable future.

### The Parliament of Canada Members of Parliament and Senators

	Current		Proposed		1996	
	MPs	Sen	MPs	Sen	MPs	Sen
Ontario	99	24	117	6	120	6
Quebec	75	24	93	6	93	6
British Columbia	32	6	36	6	39	6
<b>Alberta</b>	<b>26</b>	<b>6</b>	<b>28</b>	<b>6</b>	<b>30</b>	<b>6</b>
Manitoba	14	6	14	6	14	6
Saskatchewan	14	6	14	6	14	6
Nova Scotia	11	10	11	6	11	6
New Brunswick	10	10	10	6	10	6
Newfoundland	7	6	7	6	7	6
Prince Edward Island	4	4	4	6	4	6
Northwest Territories	2	1	2	1	2	1
Yukon	1	1	1	1	1	1
Total	295	104	337	62	345	62

### The Canada Clause

**D**uring our public hearings, many Albertans said the Constitution should include a national identity clause that reflects the basic beliefs and values of Canadian society. They also said this clause could include recognition of Quebec's distinct society, as long as it did not grant Quebec or Quebecers any special powers or privileges. The Charlottetown agreement includes a "Canada Clause".

The Canada Clause will express the fundamental values and characteristics of the country. It will include reference to the principles of parliamentary democracy, respect for human rights, racial and sexual equality, equality of provinces, and recognition of the aboriginal right to self-government.

The clause also will define Quebec's distinct society as it relates to the French language, culture, and the civil code. It does not give Quebec any special powers or status. The clause will commit governments to the vitality and development of the English-language minority in Quebec, and francophone communities outside Quebec.



# Aboriginal Issues

**I**n expressing their views to our committee, many Albertans recognized that aboriginal issues must also be addressed as part of any new Constitution. Albertans feel that all people should be able to participate freely and equally in their governance. They said that like other Canadians, the aboriginal peoples should have the freedom and responsibility to chart the future course of their respective communities. The Charlottetown agreement addresses a number of these important aboriginal issues.

Under the Charlottetown agreement, aboriginal peoples,

including Metis and those living off reserves, will be recognized as having an inherent right to self-government. This right will be entrenched in the Constitution.

Provincial, federal, territorial and aboriginal leaders will negotiate the terms and conditions of self-government, and must demonstrate an effort to negotiate in good faith. If an agreement cannot be reached in five years, any of the parties may request the courts to rule on the issue.

Any laws arising from aboriginal self-government must conform with federal and

provincial laws essential to the preservation of peace, order and good government.

Aboriginal governments will be recognized as a third order of government within Canada.

The agreement itself does not provide for any new land rights for aboriginal peoples, nor does it weaken the existing treaty rights for native bands.

The method for financing aboriginal self-government will be determined in future negotiations.

## The Distribution of Responsibilities

**A**lbertans have long expressed their desire for more streamlined delivery of services. During our public hearings, they described Canadian federalism as a partnership. They expressed their desire for governments to reduce overlap and eliminate unnecessary duplication in an effort to lower the costs to taxpayers and improve the efficiency of government. The Charlottetown agreement addresses these concerns.

The agreement will provide each province with the option of withdrawing from, with fair financial compensation, federal spending programs in the areas of provincial responsibility.

These include: housing; recreation; forestry; mining; tourism; and urban and municipal affairs. This will also apply to labour market development and training which will become an area of exclusive provincial responsibility. The agreement affirms the exclusive right of the provinces in these areas of responsibility.

In addition, provinces will be able to gain more control of any new cost-shared programs. Existing programs, such as Health Care, are protected.

The agreement also commits first ministers to negotiate a framework to control federal spending in other areas of

provincial jurisdiction. This framework will be designed to:

- reduce overlap and duplication, thus reducing government expenditure;
- ensure that new programs respect provincial priorities;
- ensure that new programs contribute to national objectives; and
- ensure the equal treatment of provinces.

Finally, provinces will be able to negotiate agreements with the federal government that will give a province a greater role in the areas of culture, immigration and regional development.



# The Social and Economic Union

**A**lbertans' views on the expansion of the Charter of Rights and Freedoms were mixed. Some supported the inclusion of rights relating to social and economic issues, while others said that an expanded Charter would transfer too much power to the courts, and make our country less governable. The Charlottetown agreement proposes a typically Canadian compromise on this issue.

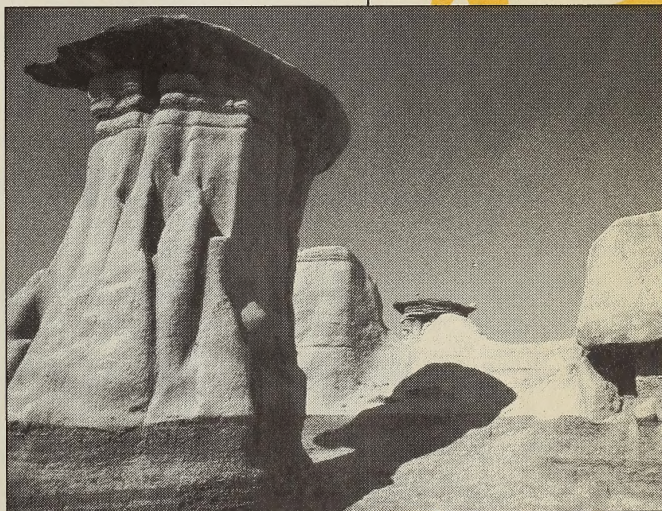
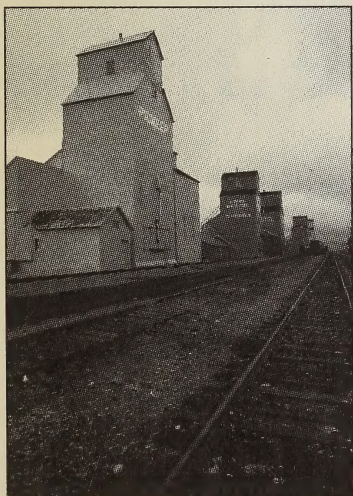
A section outlining the Canadian Social Union will be added to the Constitution. This section will express some of the broad social and economic objectives governments have committed themselves to achieving. These objectives include:

- the maintenance of Canada's health care system;
- the provision of adequate social services and benefits;
- the provision of quality education;

- the preservation of the environment;
- ensuring that Canadians have a reasonable standard of living.

While these objectives are not enforceable in the courts, they do add direction to the system of government outlined in the Constitution.

In addition, the political accord will outline the Canadian Common Market. Albertans have long supported the elimination of interprovincial trade barriers, and the agreement will help accommodate this. It will commit governments to the free movement of goods, services, persons and capital. The terms of the Canadian Common Market will be decided at a series of first ministers' conferences, which have been entrenched in the Constitution.





# The Amending Formula

**I**n expressing their views to our committee, Albertans generally supported the current amending formula. This formula requires the approval of Parliament and seven provinces with 50 per cent of the population for most amendments, and unanimity for some changes to Parliament or the Supreme Court.

*The Charlottetown agreement basically preserves this formula, except for changes regarding the addition of new provinces and the Senate.*

With these changes, the Yukon and Northwest Territories will need only the approval of Parliament to become

provinces. The approval of all provinces will be required to provide extra representation in the Senate, or to include a new province in the amending formula. In addition, changes to the new Senate will require the approval of all provinces and the federal government.



If you would like more information regarding the referendum,  
please contact Elections Canada at

**1-800-267-VOTE (8683)**

OR

If you would like more information about the Charlottetown agreement,  
or a copy of the Consensus Report on the Constitution, please contact your MLA, or call

**1-800-661-3741**

**Please vote in the referendum on October 26.**

**Be part of Alberta's future in a new Canada.**



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